

REMARKS

The Office Action mailed July 10, 2006 has been carefully considered. Within the Office Action, Claims 1-19 have been rejected. The Applicants have hereby canceled Claims 1-19 and have added Claims 20-42. The Applicants reserves the right to further pursue the canceled claims in a continuation and/or divisional application as well as for appeal purposes. Reconsideration in view of the above claims and following remarks is respectfully requested.

The 35 U.S.C. § 112, Second Paragraph Rejection

Claims 1-19 were rejected under 35 U.S.C. 112, 2nd paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The rejection is respectfully traversed.

However, to expedite prosecution, Claims 1-19 have been canceled and Claims 20-42 have been added. The Applicants respectfully submit that Claims 20-42 are definite and particularly point out and distinctly claim the subject matter which the applicant regards as patentable embodiments. The Applicants respectfully request reconsideration and allowance of Claims 20-42.

Rejection under U.S.C. § 102

Claims 1-7, 9, 11, 15 and 16 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 5,938,128 to Engel et al. (hereinafter "Engel"). In addition Claims 15 and 16 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 5,251,827 to Sims et al. (hereinafter "Sims"). The Applicants respectfully traverse both of these rejections.

Claim 20 recites, among other things, a rotor having a conductor wall which rotates and causes material to move in a substantially helical transport path in a first direction. In addition, Claim 20 recites a port configured to inject process air into the rotor housing wherein the air moves in a substantially helical airflow path in a second direction that is opposite to the first direction. The Applicants respectfully submit that neither Engel nor Sims disclose that rotation of a deflector wall causes material to move in a substantially helical transport path in one direction nor that process air is injected into the rotor housing in a substantially helical airflow path in a second direction that is opposite to the first direction. Considering that Engel does not teach each and every element expressly or inherently as required by 35 U.S.C. 102(b), Claim 20 is allowable over Engel and Sims, individually.

Claim 30 recites, among other things, a method for rotating a deflector wall wherein rotation of the deflector wall causes material to move in the rotor housing in a substantially helical transport path as well as injecting process air into the rotor housing wherein the process air flows along the substantially helical airflow path in a direction opposite to the transport path. Once again neither Sims nor Engel disclose that the material moves in a substantially helical transport path nor that process air is injected in a direction opposite to the transport path. Accordingly, Claim 30 is allowable over Engel and Sims, individually.

Claim 40 recites, among other things, a rotor device having an outer deflector wall and an inner deflector wall which is concentric to the outer deflector wall wherein protrusions extending from both of the inner and outer walls extend toward a gap therebetween. This limitation is not taught or disclosed anywhere in Sims nor Engel. Considering that neither Sims nor Engel teach each and every element as recited in Claim 40, Claim 40 is allowable over Sims and Engel, individually.

In addition, dependent Claims 21-29, 31-39, 41 and 42 are dependent upon independent Claims 20, 30 and 40, respectively. For at least the reasons stated above, Claims 20, 30 and 40 are allowable over Engel and Sims, individually. Therefore, the dependent Claims are allowable for being dependent on allowable base claims.

Rejection under 35 U.S.C. § 103

Within the Office Action, Claims 8, 10, 12-14 have been rejected as being allegedly unpatentable over Engel. In addition, Claims 17-19 have also been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Sims. The Applicants have cancelled Claims 1-19 and therefore the rejection is now moot. Accordingly, Claims 20-42 are allowable over Engel and Sims, individually or in combination.

New Claims

The Applicants have added new Claims 20-42. The Applicants respectfully submit that Claims 20-42 are fully supported by the specification and do not incorporate any new matter therein. Allowance of Claims 20-42 is respectfully requested.

Conclusion

It is believed that this Reply places the above-identified patent application into condition for allowance. Early favorable consideration of this Reply is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

A handwritten signature in black ink, appearing to read 'S. Bhattacharya', written over a horizontal line.

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